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11		MITTAL		Filing Date	January 23, 2		
	FO	KIVI		First Named Inventor	Steven N. Mir	ık	
(to be used for	all corresp	ondence after initial	filing)	Art Unit	1646		
				Examiner Name	Unassigned		
Total Number of	Pages in 1	This Submission	7+	Attorney Docket Number	BEP 3011		
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#### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: : Steven N. Mink, et al.

For: : METHODS OF TREATING

INFLAMMATION

Serial No. : 10/762,581

Filed : January 23, 2004

Art Unit : 1646

Examiner : Unassigned

Attorney Docket No. : BEP 3011

Confirmation No. : 3020

#### **INFORMATION DISCLOSURE STATEMENT**

Mail Stop Amendment Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450

Dear Sir:

This Information Disclosure Statement is submitted:

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merits; whichever

under 37 CFR 1.97(c) together with either a:

- \_\_ Certification under 37 CFR 1.97(e), or
- \_\_ a \$180.00 fee under 37 CFR 1.17(p), or
  - (After the CFR 1.97(b) time period, but before final action or notice of allowance, whichever occurs first)



Application No.: 10/762,581 Attorney Docket No.: BEP 3011

under 37 CFR 1.97(d) together with a:

- \_\_ Certification under 37 CFR 1.97(e), and
- \_\_\_ a petition under 37 CFR 1.97(d)(2)(ii), and
- a \$180.00 petition fee set forth in 37 CFR 1.17(i)(1).
- (Filed after final action or notice of allowance, whichever occurs first, but before payment of the issue fee)

X Applicants submit herewith Form PTO/SB/08A Information Disclosure Statement by Applicant together with copies, of patents, publications or other information of which applicants are aware, which applicants believe may be material to the examination of this application and for which there may be a duty to disclose in accordance with 37 CFR 1.56.

The relevance of the attached references is that this is the closest art of which Applicants are aware.

Applicants submit that the above references taken alone or in combination neither anticipate nor render obvious the present invention. Consideration of the foregoing in relation to this application is respectfully requested.

It is requested that the information disclosed herein be made of record in this application.

In the event that the fees submitted prove to be insufficient in connection with the filing of this paper, please charge our deposit account number 50-0578 and please credit any excess fees to such Deposit Account.

Respectfully submitted, KRAMER & AMADO, P.C.

Date:

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Substitute for form 1449A/PTO

## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet 1 of 4

Complete if Known				
Filing Date	January 23, 2004			
First Named Inventor	Steven N. Mink			
Art Unit	1646			
Examiner Name	N/A			
Attorney Docket Number	BEP 3011			

	U.S. PATENT DOCUMENTS					
Examiner	Cite No.1	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant	
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Substitute for form 1449B/PTO Complete if Known Application Number 10/762,581 INFORMATION DISCLOSURE Filing Date January 23, 2004 STATEMENT BY APPLICANT First Named Inventor Steven N. Mink Art Unit 1646 (Use as many sheets as necessary) N/A Examiner Name **BEP 3011** Sheet of Attorney Docket Number

	NON PATENT LITERATURE DOCUMENTS				
Examiner Cite the item (book, magazine, journal, serial, symposium, catalog,		Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T 2		
	1	Parker JL et al., Am J Physiol., 1985, Jun;248(6 Pt 2):H818-26.			
	2	Parker MM et al., Annals of Internal Medicine, 1984, 100:483-490.			
	3	Lefer AM and Rovetto MJ, Proc Soc Exp Biol Med. 1970, May;134(1):269-73.			
	4	Lefer AM et al., Am J Physiol. 1967, Aug;213(2):492-8.			
	5	Parrillo JE et al., <i>J Clin Invest.</i> 1985, Oct;76(4):1539-53.			
	6	Gomez A et al., <i>Anesthesiology</i> , 1990, 73:671-685.			
	7	Jha P et al., Am J Physiol. 1993, May;264(5 Pt 2):H1402-10.			
	8	Eng JK et al., J Am Soc Mass Spectrom, 1994, 5:976-989.			
	9	Chittum HS et al., <i>Biochemistry</i> , 1998, 37:10866-10870.			
	10	http://www.nap.edu/readingroom/books/labrats/ Guide for the care and use of laboratory animals, @ 1996, National Academy of Sciences.			
	11	Edman, P, Mol. Biol. Biochem. Biophysics, 1970, 8:211-255.			

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of 4 Sheet

	Complete if Known	
Application Number	10/762,581	
Filing Date	January 23, 2004	
First Named Inventor	Steven N. Mink	
Art Unit	1646	
Examiner Name	N/A	
Attorney Docket Number	BEP 3011	ノ

NON PATENT LITERATURE DOCUMENTS				
Examiner Initials *	Cite No.1	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T²	
	12	Rademacher TW et al., Ann. Rev. Biochem. 1988, 57:785-838.		
	13	Boyum A, <i>Nature</i> , 1964, Nov;204(4096):793-794.		
	14	Grobler JA et al., Archives of Biochemistry and Biophysics, 1994, Sept;313(2):360-366.		
	15	Shugar D, Biochimica et Biophysica Acta, 1952, 8:302-309.		
	16	Chipman DM and Sharon N, Science, 1969, 165:454-465.		
	17	Rand-Meir T et al., <i>Biochemistry</i> , 1969, 8(10):4206-4214.		
	18	Li X et al., <i>J Appl Physiol</i> , 1998, 85(5):1693-1701.		
	19	Eichenholz PW et al., Am J Physiol. 1992, Sept;263(3 Pt 2):H668-75.		
- 10 -	20	Finkel MS et al., <i>Science</i> , July 1992, 257:387-389.		
	21	Burgess P et al., Surgery, 1994, 115(1):16-21.		
	22	McDonald TE et al., Am J Physiol Heart Circ Physiol, 2000, 279:H2053-H2061.		
	23	Gu M et al., Can J Anaesth, 1998, 45(4):352-359.		
	24	Fleming, A., Proceedings of the Royal Society of London (Biology), 1922, 93:306-317.		
-	25	Briggs RS et al., The Journal of Histochemistry and Cytochemistry, 1966, 14(2):167-170.		
	26	Hansen NE and Andersen V, British Journal of Haematology, 1973, 24:613-622.		
	27	Hansen NE et al., The Journal of Clinical Investigation, 1972, 51:1146-1155.		
	28	Henning U et al., Molecular and Cellular Biochemistry, 1996, 160/161:41-46.		
	29	Ufret-Vincenty CA et al., Am J Physiol Cell Physiol, 2001, 281:C464-C474.		
	30	Bennet ES, Biophysical Journal, 1999, 77:2999-3009.		

stitute for form 1449B/PTO

### INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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Sheet	4	of	4

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	31	Lollike K et al., <i>Leukemia</i> , 1995, 9:206-209.	
	32	Granton JT et al., Am J Respir Crit Care Med, 1997, 155:1977-1983.	
	33	Flecknell P, Laboratory Animal Anaesthesia: A practical introduction for research workers and technicians, 2 <sup>nd</sup> ed., London: Academic Press, 1996.	
	34	Crusch C et al., Am J Respir Crit Care Med, 2000, 161:517-526.	
	35	Mink SN et al., Intensive Care Med, 1999, 25:733-743.	
	36	Maley F et al., Analytical Biochemistry, 1989, 180:195-204.	
	37	Nachbar MS et al., The Journal of Biological Chemistry, 1980, 255(5):2056-2061.	
	38	Crowley JF et al., Archives of Biochemistry and Biophysics, 1984, 231(2):524-533.	
	39	Nagata Y and Burger MM, The Journal of Biological Chemistry, 1974, 249(10):3116-3122.	
	40	Gilboa-Garber N and Mizrahi L, Can J Biochem, 1981, 59:315-320.	
	41	Hammarstrom S et al., Scand J Immunol, 1972, 1:295-309.	
	42	Varki A et al. Eds., Essentials of Glycobiology, Cold Spring Harbor Laboratory Press, Cold Spring Harbor, NY: 1999.	